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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/830,983	05/03/2001	Michael James Dominic Skells	36-1432	7296

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NIXON & VANDERHYE, PC  
1100 N GLEBE ROAD  
8TH FLOOR  
ARLINGTON, VA 22201-4714

EXAMINER

DALENCOURT, YVES

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.	Applicant(s)	
09/830,983	SKELLS, MICHAEL JAMES DOMINIC	
Examiner	Art Unit	
Yves Dalencourt	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 13-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/20/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This office action is responsive to amendment filed on 12/20/2004.

#### ***Response to Amendment***

2. The examiner has acknowledged the amended abstract, the cancellation of claims 1 – 12, and the submission of new claims 13 – 24. The rejection of claim 3 under 35 U.S.C. 112, second paragraph has been withdrawn.

#### ***Response to Arguments***

3. Applicant's arguments with respect to claims 13 - 24 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13 – 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Srisuresh et al (US 6,058,431; hereinafter Srisuresh) in view of Veerina et al (US 6,243,379; hereinafter Veerina).

Regarding claims 13 - 15, 18 – 20, and 23 – 24, Srisuresh teaches a method and apparatus of transparently re-routing data elements transmitted during a network

connection along a transmission path between an original source address and an original destination address, said data elements comprising an indication of source address and an indication of destination address, said network connection having protocols above the transport layer protocol capable of maintaining data transmission during disconnection and reconnection when said data elements are re-routed (fig. 2; col. 4, lines 44 – 54), said method comprising at a first point in the transmission path differing from said original destination address (A, fig. 2): receiving a first intercepted data element (col. 2, lines 36 – 41); modifying the original source address to an alternative source address (col. 5, lines 51 – 67; Srisuresh discloses an original source = 10.0.0.5 and an alternative source = 198.76.29.1); and re-transmitting the first data element on the transmission path (col. 6, lines 3 – 11; Srisuresh discloses that the router 106 forwards the datagram to workstation 108a so that the original session on PC 108a can receive their reply) ; and at a second point in the transmission path corresponding to the alternative source address (D, fig. 2): receiving a second data element having the alternative source address as its destination address (col. 6, lines 27 – 29; Srisuresh discloses that if a reply should come back, it would contain a destination IP address of 198.76.29.1); modifying the destination address to the original source address and modifying the source address to the original destination address (col. 6, lines 29 – 32); and re-transmitting the second data element along the transmission path (col. 6, lines 32 – 34 and lines 58 - 67).

Srisuresh substantially teaches all the limitations, except for the step of modifying the original destination address to an alternative destination address.

However, Veerina teaches, in an analogous art, a mobile networking method and apparatus, which comprises the step of modifying the original destination address to an alternative destination address (col. 4, lines 29 – 44; col. 5, lines 36 – 46; col. 6, lines 48 – 63; col. 7, lines 7 - 47).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Srisuresh by incorporating the step of modifying the original destination address to an alternative destination address as evidenced by Veerina for the purpose of connecting users to the Internet through multiple single user ISP accounts, thereby improving network flexibility and capacity to enable access multiple sites in the Internet.

Regarding claims 16 – 17 and 21 - 22, Srisuresh and Veerina teach all the limitation in claim 13, and Srisuresh further teaches that the second data element is transmitted along the path from the alternative destination address in response to the receipt at the alternative destination of the first data element (col. 5, lines 19 – 67; col. 6, lines 1 – 11; Srisuresh discloses a router 106, which inherently stores and matches the original source, destination, and alternative addresses).

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

#### **Contact Information**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yves Dalencourt whose telephone number is (571) 272-3998. The examiner can normally be reached on M-TH 7:30AM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

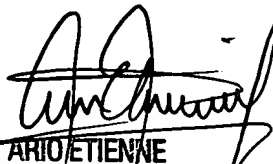
Art Unit: 2157

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yves Dalencourt

*Y.D.*

April 15, 2005

  
ARIO/ETIENNE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100